

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| OKLAHOMA FIREFIGHTERS PENSION | : | |
| AND RETIREMENT SYSTEM, | : | |
| <i>Individually and on Behalf of All Others</i> | : | |
| <i>Similarly Situated,</i> | : | |
| | : | 17cv5543 |
| Plaintiff, | : | |
| -against- | : | <u>ORDER REGARDING DISTRIBUTION</u> <u>OF SETTLEMENT FUNDS</u> |
| LEXMARK INTERNATIONAL, INC., | : | |
| PAUL A. ROOKE, DAVID REEDER, and | : | |
| GARY STROMQUIST, | : | |
| | : | |
| Defendants. | : | |
| | : | |

WILLIAM H. PAULEY III, Senior United States District Judge:

WHEREAS, (a) Lead Plaintiff Oklahoma Firefighter Pension and Retirement System, on behalf of itself and the Class, and (b) defendants Lexmark International, Inc., Paul A. Rooke, David Reeder, and Gary Stromquist (collectively, the “Individual Defendants,” together with Lexmark, the “Defendants”; and together with Lead Plaintiff, the “Parties”), entered into a Settlement Agreement in the above-captioned litigation;

WHEREAS, on January 7, 2021, the Court entered a Memorandum and Order approving the Settlement, awarding attorneys’ fees and expenses to Lead Counsel, and awarding a reimbursement to Lead Plaintiff;

WHEREAS, on January 7, 2021, the Court entered its Final Judgment Approving Class Action Settlement. (ECF No. 159.); and

WHEREAS, the Court has reviewed and considered Lead Plaintiff's Motion for Disbursement of Funds, dated March 4, 2021; and the Status Report and Declaration of Eric A. Nordskog, dated March 11, 2021, as well as the accompanying exhibits;

IT IS HEREBY ORDERED as follows:

1. The Court approves the Claims Administrator's and Lead Counsel's determinations concerning the acceptance and rejection of claims;
2. The Clerk of Court is directed to pay the Settlement Fund from the CRIS account, plus any accrued interest on that amount (less a deduction from the interest income on the CRIS investment, as authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office), to Eric Nordskog, Project Manager, A.B. Data, Ltd., 600 A.B. Data Drive, Milwaukee, WI 53217, to be deposited into a bank account established by the Claims Administrator;
3. From the Claims Administrator's account, A.B. Data is directed to distribute the amounts determined by the Claims Administrator and Lead Counsel, plus the remaining interest, to Authorized Claimants;
4. From the Claims Administrator's account, A.B. Data is directed to disburse its incurred fees and expenses as Claims Administrator;
5. From the Claims Administrator's account, A.B. Data is directed to distribute attorneys' fees, expenses, and reimbursements, as determined in the Court's January 7, 2021 Memorandum and Order and Final Judgment once 75% of the net settlement fund has been distributed;
6. Lead Counsel and A.B. Data are directed to file a status report regarding the distribution of the Settlement Fund by May 20, 2021;

The Clerk of Court is directed to terminate the motion pending at ECF No. 161.

Dated: March 12, 2021
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.